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Paper 47
Filed: 17 April 2009

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

PAUL **GILSON**, EAMON BRADY, PADRAIG MAHER,
DAVID VALE and CHARLES TAYLOR
Junior Party
(Application 10/058,828),

v.

THOMAS E. **BROOME**, JOHN M.K. DANIEL and
THOMAS R. HEKTNER
Senior Party
(Patent 7,094,249).

Patent Interference No. 105,583 (SCM)
(Technology Center 3700)

1 Before SALLY GARNER LANE, SALLY C. MEDLEY, and MICHAEL P.
2 TIERNEY, *Administrative Patent Judges*.
3
4 MEDLEY, *Administrative Patent Judge*.

5 **Judgment – Request for Adverse – Bd.R. 127(b)**

6 A telephone conference call was held on 17 April 2009 at approximately
7 10:00 a.m., involving:

1. Mr. Callahan, counsel for Gilson,
2. Mr. Lawrence, counsel for Broome, and
3. Sally Medley, Administrative Patent Judge.

The parties have settled the interference. Mr. Lawrence represented that Broome requests entry of adverse judgment as to both Counts. 37 C.F.R. §41.127(b). Broome's request is **granted**.

Accordingly, it is

ORDERED that judgment is entered against Broome for Counts 1 and 2 (Paper 1 at 4; Paper 40 at 1-2);

FURTHER ORDERED that claims 1-11 of Broome's involved patent are CANCELED, 35 U.S.C. § 135(a);

FURTHER ORDERED that the parties shall note the requirements of 35 U.S.C. § 135(c) and Bd.R. 205; and

FURTHER ORDERED that a copy of this judgment be entered in the administrative records of the involved Broome patent and Gilson application.

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